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C O N F I D E N T I A L SECTION 01 OF 10 STATE 043742

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C O R R E C T E D C O P Y (TAGS)

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BM
SUBJECT: APPROACHING THE EU IN ADVANCE OF THE APRIL 28-29
FOREIGN MINISTERS MEETING (GAERC)

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¶1. (U) Classified by William Lucas, Office Director,
EUR/ERA. Reason: 1.4(b) and (d).

¶2. (U) This is an action request. See paragraph 16.

¶3. (SBU) Summary: EU Foreign Ministers will hold their next General Affairs and External Relations Council (GAERC) meeting in Brussels on April 28-29. We expect the agenda to include: Western Balkans, Israeli-Palestinian peace process, Lebanon, Pakistan, Iraq, Burma, Zimbabwe, and China/Tibet. As of now, Iran and Georgia are not/not on the GAERC agenda, but this may change and we want to raise these subjects in any case. Given the importance of the Balkan, Iran, and Georgia issues, posts are requested to make a particular effort to press the EU on these points and to deliver them at the highest appropriate level. Posts are also requested to include the SIPDIS caption on their response cables. A background section covering some of these issues is provided prior to a section containing talking points. Points are to be delivered as soon as possible at the appropriate level to EU members only. Other posts should not/not deliver these points.

BACKGROUND

IRAN

¶4. (C) Prior to the adoption of UNSCR 1803, the EU-3 assured us that the EU as a whole would adopt additional, autonomous restrictions on Iran once the resolution was adopted. Since then, we have been pressing for three distinct EU actions:

- * implement UNSCR 1803 in EU policy and regulations;
- * designate an EU-developed list of 19 additional entities (including Bank Melli) and 15 additional individuals under existing EU policy and UNSCRs 1737/1747; and
- * adopt a series of new autonomous financial and economic measures (such as a ban on export credits) that go beyond existing EU policy.

¶15. (C) Thus far, EU action has been blocked - largely by Italy, but with others hiding behind. Italy has the second largest economic relationship with Iran among European states and resents being called on to implement EU-3 decisions without having taken part in consultations first. Italy has lobbied to have "Quint" (U.K., France, Germany, United States, Italy) consultations prior to P5+1 political directors meetings. They have also lobbied to be a part of the P5+1. In exchange, the Italians assured us that they would lift their hold on EU action and crack down on Bank Melli and others on the EU list. They would also work cooperatively to develop new autonomous EU measures.

¶16. (C) Acting U/S Fried participated in a Quint consultation on the margins of the G8 PolDirs on April 15 in Kyoto. In return, Italy lifted its hold on the designation list on April 18, and we hope that the list will now move forward if no other country objects by 1800 Brussels time on April 21. However, the debate over truly new EU autonomous measures (number 3 in the list above) remained unresolved as of April 21. USEU reports that Italy, Greece, Cyprus, Austria, Spain, and possibly

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Portugal, all spoke out against new autonomous measures during an April 18 EU Political and Security Committee meeting. We continue to urge the EU to adopt all the measures described above at their April 28-29 Foreign Ministers meeting (GAERC), with the May 26-27 GAERC as a fall-back. As of now, Iran has not/not been placed on the April GAERC agenda.

GEORGIA

¶17. (C) On April 16, President Putin issued instructions to the Russian government on relations with Abkhazia and South Ossetia. The instructions direct the Russian government to "create" mechanisms to "protect" the interests of Russian citizens in Abkhazia and South Ossetia, which would appear to provide a range of services similar to a diplomatic mission, including promotion of trade, education and scientific exchanges, and consular services. The document also authorizes Russian ministries to establish direct contacts with their separatist counterparts, but does not elaborate where such mechanisms would be located. This move, taken without the approval of the Georgian government, comes on the heels of a rejection by de facto Abkhaz authorities of a Georgian peace proposal to offer maximal autonomy to Abkhazia within Georgia, including linguistic and cultural autonomy, veto power over legislation dealing directly with Abkhazia, and guaranteed senior positions in the central government, including a proposed Vice President. We remain concerned over growing tensions in the region. On April 21, the Georgians released video purportedly showing a Russian aircraft shooting down a Georgian UAV over Georgian territory. We are examining the video. We have already asked European posts to demarche capitals to urge Russia not to take provocative actions in Abkhazia and South Ossetia, and specifically to repeal its April 16 instructions, but we want to raise our concerns here as well.

LEBANON/SYRIA

¶18. (SBU) Lebanese presidential elections have been delayed

seventeen times, most recently to April 22. Half of the Arab League's members, including Saudi Arabia, Egypt, and Jordan, boycotted or sent low-level representation to the March 29-30 Arab League summit in Damascus in protest of Syria's continued interference in Lebanon. Although embarrassed, Syria publicly called the summit a success and has shown no signs of wavering on Lebanon. As the Lebanese political impasse continues, we are focusing on strengthening Lebanese institutions sufficiently to govern despite this political vacuum. Some EU members' support for the GOL has, disappointingly, been declining in favor of a more "neutral" policy that seeks not to favor the ruling "March 14" coalition over the "March 8" opposition. An earlier flurry of high-level EU contact with Syria, though, has dropped off since the beginning of the year. This may reflect increasing EU frustration with the Bashar al-Asad government. Despite this, EU members remain unwilling to take stronger actions such as targeted financial sanctions, similar to the designations recently undertaken by the Treasury Department, travel bans, or investment bans.

ISRAELI-PALESTINIAN PEACE

¶9. (SBU) The EU remains very interested in the degree of progress on the ground and in Israeli-Palestinian Negotiations since the November 2007 Annapolis Conference. The EU remains supportive of our efforts and has provided much needed budgetary and project assistance to the PA since November. Germany is coordinating with the EU to organize a Palestinian justice sector capacity building conference in June, and U.S. officials are coordinating

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ZIMBABWE

¶10. (C) Since the March 29 elections, the Zimbabwe government has dramatically increased its campaign of intimidation, harassment and physical violence against regime opponents. These concerted actions demonstrate the regime's blatant disregard for democracy, human rights, and the electoral process.

¶11. (C) The orchestrated violence in Zimbabwe is widespread and includes attacks on election observers, and Movement for Democratic Change (MDC) party officials and other opposition supporters. Youth militia, the so-called war veterans, local security personnel, and the military are carrying out the attacks. These hard-line tactics are being coordinated by the Mugabe regime and its ZANU-PF allies to disrupt the democratic process and maintain their hold on power at any cost. The Department issued a formal press statement on April 11 condemning the brutality. The EU issued a similar statement on April 16.

¶12. (C) The Zimbabwe Electoral Commission (ZEC) has withheld the results of the presidential election for three weeks. On April 19, the ZEC began a recount of the votes cast for president and parliamentary candidates in 23 constituencies. Any results that the ZEC might now release showing a Mugabe win or the need for a runoff would be suspect, and the results of a recount should not be accepted because the ballot box chain of custody has been compromised. The attacks on regime opponents have

undermined the electoral environment to such an extent that a runoff election could not be free and fair.

¶13. (C) In its April 13 communiqu,, the SADC heads of state emergency summit called for the expeditious release of the election results, transparent counting of the ballots, and a secure electoral environment in the event of a runoff election. If these conditions are not met, the international community must consider UNSC action, including imposing multilateral sanctions.

BURMA

¶14. (SBU) Burma's military regime has made no progress toward a dialogue with Aung San Suu Kyi and other democratic and ethnic minority representatives. Despite the efforts of UN Special Advisor Gambari to facilitate such a dialogue, he reported the regime delivered no "concrete results" during his March 6-10 visit to Burma, his fifth in eighteen months. On the contrary, the regime is imposing its self-styled "roadmap to democracy," which lacks popular input. The regime plans to hold a May 10 referendum on a constitution drafted in secret by a hand-picked committee without the input of democratic and ethnic minority groups. The regime has criminalized dissent, continues to hold roughly 1,800 political prisoners, and arrests more peaceful political activists every week. Furthermore, it has rebuffed calls by the United States, the United Nations, EU countries, and many others around the world to make the necessary changes that would make the referendum free, fair, and credible.

IRAQ

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¶15. (SBU) On March 13 the European Parliament approved a report recommending an enhanced EU role in Iraq. In particular, it proposed increasing the size of the European Commission (EC) presence in Iraq; stepping up support for UN activities; supporting democratic governance, national reconciliation and federal, regional and local institutions; providing assistance for refugees; and focusing EU aid on technical assistance and capacity building. We want to see the implementation of these recommendations, and recognize that much will depend on the EC being able to move its presence to larger facilities. Prime Minister Maliki's visit to Brussels on April 16 was a positive step in building the EU-Iraq relationship. EU lobbying of Arab states to increase their diplomatic representation in Iraq would be helpful in reinforcing the points we are making.

¶16. (SBU) ACTION REQUEST: Please deliver the following points to the appropriate MFA official(s) as soon as possible (in advance of the April 28-29 GAERC).

BEGIN NON-PAPER TEXT

IRAN

--We urge the EU to adopt the provisions in UNSCR 1803 into EU policy and regulations immediately, along with both the pending list of additional designations that can be adopted under existing EU policy, and the strongest possible package of new autonomous sanctions.

--There is a clear need for strong EU leadership on Iran. Further delay sends the wrong message to Iran and undermines the credibility of international efforts toward a diplomatic solution. The credibility of the EU, the Nuclear Nonproliferation Treaty, and the UNSC is at stake.

--A strong package of EU sanctions would not only send a clear signal of EU resolve but also remove the excuse of other countries for not acting against Iran. Strong EU action in April will build on the momentum of UNSCR 1803.

--We regret that the EU has thus far moved so slowly in all three areas of pending action on Iran sanctions. Iran has deepened its defiance by beginning testing of an advanced centrifuge design using nuclear material. Additional, substantive actions are critical to demonstrate to Iran that they cannot continue to ignore the international community.

WESTERN BALKANS

Kosovo:

--We all need to work collaboratively to emphasize to UN Secretary-General Ban how important it is for stability in

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the Balkans for the UN to cooperate on ensuring a smooth transition to new international presences in Kosovo. Implementing transition to EULEX must continue.

--We look to the EU's leadership on how to proceed with deploying EULEX throughout Kosovo. There must be a single, unified chain of command on police and justice matters. We must not take any step that would imply partition of Kosovo. We understand the significant logistical, political, and financial obstacles posed by UNMIK's inability to cooperate at this moment. How does the EU plan to deal with this in a way that will leave no rule of law gap in Kosovo?

--When Kosovo's constitution takes effect on June 15, we still expect ICO to begin supervising Kosovo per the Ahtisaari Plan.

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--We strongly support the leadership of UNMIK SRSG Joachim Rucker and his American deputy Larry Rossin, and we ask you join us in actively discouraging micromanagement of UNMIK from the outside, including from New York.

--We urge strong EU participation in the Kosovo Donors Conference. We expect the conference in Pristina this summer to focus on over \$2 billion worth of assistance needed by Kosovo over the coming three years. The U.S. anticipates contributing approximately 25 percent of the total.

Serbia:

-- Serbia is at a critical juncture - after Kosovo independence and ahead of May 11 elections.

-- We believe that the EU should reach out to Serbia and offering a Stabilization and Association Agreement (SAA) at the EU Foreign Ministers' meeting (on April 28), with the understanding that further progress will be contingent on Serbia's cooperation with the ICTY.

-- Such an offer will show a clear way forward for Serbia toward the EU and encourage voters to support modern, pro-Europe candidates in the election

-- We feel strongly that full accountability for war crimes is a moral imperative.

-- However, if the Radicals win the election on May 11, ICTY cooperation will be completely stopped. They have publicly stated they will actively protect indicted war criminals.

-- Our common goals are best served if all EU members take a common position on this issue. We believe this will boost the pro-western forces in Serbia and signing the SAA now - while continuing to hold Serbia to its ICTY obligations throughout the EU accession process.

Bosnia:

--We congratulate the EU, High Representative/EU Special Representative Lajcak and the Bosnian people on the BiH Parliament's approval of police reform legislation. We understand this removes the sole remaining obstacle to

BiH's signing a Stabilization and Association Agreement (SAA) with the EU.

--We strongly encourage the EU to sign the SAA with BiH at the April 28 GAERC meeting. This will help maintain positive political momentum in BiH, send a clear signal of the EU's commitment to BiH's European future and contribute significantly to stability in BiH and the region.

--We believe that rapid signature of an SAA with Bosnia, before the Serbian parliamentary elections on May 11, would also help focus Serbian voters on importance of EU integration.

GEORGIA

-- We have serious concerns about the new Russian Presidential instructions authorizing increased contacts between the Russian government and the separatist regimes in Abkhazia and South Ossetia, without approval of the Georgian government.

-- This move, joined by Russia's recent lifting of CIS sanctions on Abkhazia, as well as recent reports of a Russian plane shooting down a Georgian UAV over Georgian territory, have increased tensions in the region.

-- We recognize MFA assurances that Russian sanctions on military services and equipment remain in place and that Russia stands by its commitments and responsibilities not to supply weapons to the conflict zones.

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-- However, Russia's position of openly siding with the separatists is not in keeping with its status as a facilitator in the peace process in Georgia or its commitments to respect Georgia's sovereignty and territorial integrity.

-- We urge you to join us in dissuading Russia from taking provocative actions in Abkhazia or South Ossetia, specifically to repeal the April 16 instructions or seek Tbilisi's permission for the activities described in the Presidential instruction regarding Georgia's regions.

-- We also ask that you join us in urging Russia to play a constructive role in accordance with its commitment to act as a facilitator to the peace process, and to work with Georgia to encourage the Abkhaz and South Ossetian leaders to engage on Georgia's new proposals for a peaceful settlement of the conflicts as a basis for finding a way forward.

-- We will continue to urge Tbilisi to show restraint and develop/explain its settlement proposal in greater detail.

LEBANON/SYRIA

-- Lebanon's Parliament must be allowed to convene and elect a president. Although Lebanese parties have agreed on a consensus candidate, the opposition continues to insist on extra-constitutional preconditions that further perpetuate the political stalemate.

-- As the political crisis drags on, the EU and U.S. must be united in supporting Lebanon's legitimate government; we urge continued political and economic support to the GOL and its institutions, including the security services. Specifically, we urge the EU to consider high level visits to Beirut, receiving GOL representatives in capitals, statements of support for the GOL, and economic and security assistance to the GOL. The USG is actively pursuing these options now.

--The democratically-elected Lebanese Government must be seen as the representative of the state rather than just one political faction.

--Separately, international support for the March 14 Coalition is also important. The Hizballah-led opposition is backed politically, financially, and economically by Syria and Iran, both state sponsors of terrorism.

--We must continue to support the UN International Independent Investigation Commission (UNIIIC) and the Special Tribunal for Lebanon (STL).

--Turning to Syria, we remain deeply concerned by the regime's efforts to undermine security in Iraq, derail the Middle East peace process, threaten Lebanese sovereignty, and deny its citizens basic human rights.

--Until Syria responds positively to international demands to cease its destructive behavior, we will continue to work with our allies to isolate the regime diplomatically, financially, and militarily. Neither UN Security Council resolutions, engagement by foreign governments, nor pointed calls by this Administration have yielded the change we all hope to see.

--Syrian interference in Lebanese internal affairs undermines Lebanese sovereignty. We should urge Syria to respond to repeated Lebanese requests to demarcate their common border, renew diplomatic relations as called for by UNSCRs 1559 and 1680, and cease support for armed groups in Lebanon. We continue to see evidence that the Syrian regime actively facilitates the transfer of weapons, fighters into Lebanon in contravention of UNSCR 1701.

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--Syria continues to support Palestinian terrorist and rejectionist groups including Hamas and the Popular Front for the Liberation of Palestine - General Command that threaten the peace process.

--The Syrian regime continues to repress human rights and democracy advocates, deny its citizens basic rights including free speech and association, and discriminate against religious and ethnic minorities. We are pleased to work alongside you to support patriots such as Riad Seif, Anwar al-Bunni, Kamal Labwani, other members of the National Council for the Damascus Declaration, and all Syrian citizens working for justice and democracy.

--Syria continues to facilitate the flow of foreign fighters traveling to Iraq and is actively working to stoke violence inside Iraq. Syria must understand that instability in Iraq threatens all of Iraq's neighbors.

ISRAELI-PALESTINIAN PEACE

--Israeli-Palestinian Negotiations: We encourage strong EU support for bilateral negotiations. The talks are proceeding in secret, which reflects the level of seriousness. Still, visible progress is necessary to maintain regional support as well as the support of the Israeli and Palestinian public. We are urging both parties to make progress on the ground, particularly on Roadmap obligations, to build confidence and create an atmosphere supportive of the negotiations. LTG Fraser is leading our effort to monitor and promote progress on Roadmap implementation and he and Secretary Rice made important progress in recent trilateral meetings with the parties.

--Palestinian Capacity Building: We appreciate the EU's budgetary assistance to the PA and encourage the EU to provide support for a project-oriented approach to Palestinian security and economic development projects. Budgetary support remains a priority, but we urge the EU

to focus its capacity building funds on projects linked to an integrated approach, whereby we will work with the parties and donors to link economic development projects and Palestinian security sector capacity building and deployments, focusing on certain geographic areas (e.g., Jenin). Linking security and economic projects will help the GOI take steps to ease restrictions on movement and access associated with these specific projects, which we believe can help yield visible results on the ground in the immediate term. We believe this is consistent with the EU Action Strategy. The EU has provided crucial support for the PA to date through its new assistance mechanism, PEGASE.

--(IF RAISED) Moscow Conference: In order for this proposal to gain traction and make a meaningful contribution to the Annapolis process, it needs a clear objective and narrow scope. The Russians initially proposed a Ministerial meeting to address Israeli-Palestinian negotiations, regional cooperation mechanisms, and additional tracks (i.e., Syria). The parties are unlikely to discuss their private talks at this forum given the sensitivity of the issues. Additional tracks would also be problematic as Syrian misbehavior in Lebanon (and elsewhere) makes it unlikely that there would be support for adding it to the agenda. The Russians have said they will only move forward with their proposal if they have the backing of the Quartet as well as the Israelis and Palestinians.

ZIMBABWE

-- We appreciate EU statements calling for the release of
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SUBJECT: APPROACHING THE EU IN ADVANCE OF THE APRIL 28-29 FOREIGN MINISTERS MEETING (GAER the presidential election results and calling attention to the deteriorating human rights situation and reports of violence.

-- We have been calling for the Zimbabwe Electoral Commission (ZEC) to immediately release the presidential election results, but to no avail. We must now be prepared to reject any announcement the ZEC makes on the presidential election or on the recount it has scheduled for April 19 that favors Mugabe or ZANU-PF parliamentary candidates because of the possibility of fraud.

-- We welcome continued EU efforts to urge the ZEC to release immediately the results of the presidential election, accurately reporting the voice of the Zimbabwean people for change.

-- If the Mugabe regime does not take the appropriate steps, the international community must consider multilateral sanctions through the United Nations.

BURMA

--The Burmese regime continues to ignore the demands of the Burmese people as well as calls by the international community for a genuine dialogue with democratic and ethnic minority representatives.

--The referendum on the regime's draft constitution is taking place in an environment of pervasive fear and intimidation. Regime laws criminalize dissent and deny freedom of expression, assembly, and association. Security forces continue to arrest Burmese for peaceful political activities.

-- Based on the regime's refusal to make changes to its referendum process, we can expect that it will not meet international standards for free and fair elections and referenda and will therefore lack legitimacy and risk renewed turmoil and instability in Burma. This will

demand a strong international response. We would welcome the EU's ideas for actions post-referendum.

--We understand that the EU is set to renew its Common Position on Burma. We would welcome your country's views on promoting a transition to democracy in Burma and on the prospects for additional EU restrictive measures to increase pressure on the regime to begin a genuine dialogue.

--We encourage your country to consider supporting EU sanctions on Burma's three state-owned foreign exchange banks as an effective means of ratcheting up pressure on the regime, as well as more effective implementation of designations against regime members and cronies. Our leading experts from Treasury/OFAC recently visited a number of EU capitals, and we are ready to continue the working level dialogue.

IRAQ

--We welcome the April 14 decision to extend and expand the mandate of the EUJUST LEX mission; this is an example of the kind of support we would like to see the EU provide. Are there any other such proposals in the works?

--We hope the EU will be able to join us in encouraging Arab countries, particularly Saudi Arabia, to open diplomatic missions in/send Ambassadors to Baghdad.

--Are there any plans for Javier Solana to visit Iraq? Such a visit would be an effective follow-up to Maliki's visit to Brussels and would further cement the EU-Iraq relationship.

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--Any progress to report on moves to implement the March 13 recommendations of the European Parliament?

--How is the search for new premises for the Commission representation going, and are there any plans for other Member States to open up Embassies/offices in Iraq? An expanded European presence would be welcomed by U.S. and the Iraqis. UNAMI expansion has been a success, and we are sure European expansion would be as well.

CHINA/OLYMPICS/TIBET

--The United States hopes for the success of the 2008 Beijing Olympics and President Bush is looking forward to joining the Chinese people for the Olympic Games in Beijing.

--In accepting President Hu Jintao's invitation to attend the Games, President Bush noted that the Games provide China with an opportunity not only to showcase the enormous economic progress the country has made in recent decades, but also demonstrate its commitment to greater openness and tolerance.

--The United States and others in the international community believe that a truly successful 2008 Beijing Olympics will be one in which China shows definitive progress on human rights and religious freedom issues of concern to both Chinese citizens and the international community.

--We urge China to seize the chance to put its best face forward by upholding its Olympic bid commitments to increase access to information, expand freedom of the press, and take positive steps to address international concerns about its record on human rights and religious freedom.

--For example, China should be urged to fully implement the somewhat relaxed controls over foreign journalists it promised the IOC, to make such relaxed rules permanent and

expand them to Chinese journalists, and to cease its current efforts to remove potential critics from Beijing prior to and during the Olympics.

-- Concerning Tibet, we are greatly concerned and disturbed by recent events in the Tibetan regions of China, and we urge all sides to show restraint and defuse tension. China should respect the fundamental human right of freedom of expression for all its citizens, whether Tibetan or Han Chinese or of any other background.

-- We call on China to hold a meaningful and direct dialogue with the Dalai Lama regarding the way forward to a better future for the people of Tibet. The Dalai Lama is a man of peace, and China should listen to him.

--(IF RAISED) Does the USG support calls to boycott the Beijing Olympics or seek to link progress in human rights or Tibetan affairs to its planned participation in the Games?

--The USG wants to see a successful Olympics and does not support calls for prohibiting athletes from participating in the Olympic games. However, the President has made clear both privately and publicly our call for progress in human rights and on Tibet specifically, and the upcoming Olympics makes such statements all the more timely and important. Statements and actions in Congress and in the public as well reflect real concerns, widely held in the United States and elsewhere, over China's human rights practices.

--The Olympics provides an opportunity for China to show progress on a range of issues, including human rights protection at home, and responsible leadership abroad.

-- We note that the Dalai Lama also opposes an Olympic

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-- President Bush has said many times that he has and will continue to press China's leadership, especially in direct private meetings, to respect human rights and religious freedom. The President's attendance of the Olympics in Beijing will provide another such opportunity.

PAKISTAN

--We are encouraged by the recent successful elections in Pakistan and the return to democratic civilian government. At the same time, we remain seriously concerned with the existence of safe havens for al-Qa'ida and other extremist elements within Pakistani territory. We will continue to work with all members of Pakistan's government to support Pakistan's efforts toward political and economic development, and in its battle against violent extremists, particularly on the border with Afghanistan.

--We are in the process of briefing Pakistan's civilian leaders on U.S. policy, assistance, and programming. Despite these civilians' public attempts to float "fresh" approaches to militancy in the Tribal Areas (relying more on negotiation than force), civilian politicians offer us a more realistic assessment of the need for continued military action in private. In Pakistan's current political environment, statements that distance civilians from Musharraf-era counter-terrorism policies may continue but we urge the civilian government to take public ownership of the battle against violent extremists and to confront extremist elements.

--Recently, Japan and Australia doubled their aid to Pakistan; the United States is considering our ability to increase aid as well. We encourage the EU and its Member States to share with the Pakistani government your own concerns about extremist safe havens in Pakistan, consider current aid commitments to Pakistan and increase current support levels where possible.

END NON-PAPER TEXT
RICE